

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION**

#### **SELECT COMMITTEE ON EDUCATION FUNDING**

**Call to Order:** By **CHAIRMAN MONICA LINDEEN**, on January 27, 2005  
at 3:25 P.M., in Room 137 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Monica Lindeen, Chairman (D)  
Rep. Bill E. Glaser, Vice Chairman (R)  
Rep. Norma Bixby (D)  
Rep. Tim Dowell (D)  
Rep. Verdell Jackson (R)  
Rep. Bob Lake (R)  
Rep. Holly Raser (D)  
Rep. Jon Sonju (R)  
Rep. Pat Wagman (R)

**Members Excused:** None.

**Members Absent:** Rep. Dave Gallik (D)

**Staff Present:** Connie Erickson, Legislative Branch  
Kim Leighton, Committee Secretary  
Chris Lohse, Legislative Branch  
Eddy McClure, Legislative Branch  
Jim Standaert, Legislative Branch

**Please Note.** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing & Date Posted: HB 415, HB 310, 1/24/2005  
Executive Action:

**HEARING ON HB 415**

**Sponsor:** REP. VERDELL JACKSON, HD 6, KALISPELL

**Opening Statement By Sponsor:**

**REP. JACKSON** introduced HB 415. He mentioned the issue of meeting the accreditation standards in an effort to define basic quality education. He stressed the importance of local control.

***{Tape: 1; Side: A; Approx. Time Counter: 0 - 3.4}***

(REP. DAVE GALLIK entered the hearing.)

He stated that defining a basic program does not mean that only the minimum requirements will be meant. It just means that the state will not be required to fund outrageous programs. **REP. JACKSON** also commented on the recent convention at the Wheeler Center, as well as state money, and what that affects. He emphasized that basic learning skills are vital to the development of the children. He touched on the accreditation standards and stated that he does not approve of them, and would not include them in his bill. He also provided two documents to support his testimony.

[EXHIBIT\(esh21a01\)](#)

[EXHIBIT\(esh21a02\)](#)

***{Tape: 1; Side: B; Approx. Time Counter: 0 - 9.8}***

**Proponents' Testimony:**

**Elaine Sollie-Herman, State Organization Montana Eagle Forum**, stated that this bill is inclusive of parents' desire for their childrens' education. She included that she taught the first grade and it was very rewarding.

***{Tape: 1; Side: B; Approx. Time Counter: 9.8 - 13.8}***

**Opponents' Testimony:**

**Dave Puyear, Montana Rural Education Association(MREA)**, believes that this bill overlooks key principles of education. It does not address the hierarchy of needs. He also discussed his involvement with the accreditation standards.

**REP. MONICA LINDEEN** asked Mr. Puyear why he did not provide any amendments like he did for past bills.

**Mr. Puyear** stated that he does not believe this bill can be salvaged.

**Lance Melton, Montana School Board Association(MTSBA)**, attested that he sees this bill as local control without money. He also believes this bill is contradicting to the Supreme Court decisions. Mr. Melton provided two documents to support his testimony.

[EXHIBIT\(esh21a03\)](#)

[EXHIBIT\(esh21a04\)](#)

**Erik Burke, Montana Education Association-Montana Federation of Teachers(MEA-MFT)**, pointed out specifics of the bill that he believes are problematic.

**Bud Williams, Deputy, Office of Public Instruction(OPI)**, stated why they oppose HB 415 and what they believe a quality education is.

**Steve Meloy, Board of Public Education(BPE)**, attested that the accreditation standards need to be in place in order to have a quality education.

*{Tape: 2; Side: A; Approx. Time Counter: 0 - 0.1}*

**Informational Testimony:**

**Pam Busey, Assistant Attorney General**, testified on behalf of Attorney General, Mike McGrath.

*{Tape: 2; Side: A; Approx. Time Counter: 0.1 - 3}*

**Questions From The Committee:**

**REP. BILL GLASER** asked Pam Busey about the wording of the legal decision on this topic.

**Ms. Busey** stated that they will probably be back in litigation on this topic.

**REP. GLASER** reiterated that he understands what the courts have said, and mentioned the wording of the constitution. He then asked if she understood.

**Ms. Busey** responded that she did.

**REP. GALLIK** commented on the learning aspect versus the teaching aspect of this bill and stated that it concerns him.

**REP. JACKSON** replied by saying that he tried to give the committee the bottom line. He is just trying to do what is right for the children.

**REP. GALLIK** asked why **REP. JACKSON** left out the issue of transportation services.

**REP. JACKSON** stated that this bill addresses the necessary components to run a system. Transportation is not absolutely necessary to do this.

**REP. PAT WAGMAN** spoke of the 1975 accreditation standards, and asked Dave Puyear where we are headed.

**Mr. Puyear** stated that he taught under those standards, and stressed that the new standards are powerful and do great things for the children.

**REP. WAGMAN** asked if the accreditation standards should be part of the Montana code.

**Mr. Puyear** said that would be fine. However, a reference to BPE would be good.

**REP. BOB LAKE** asked if the standards are mandating too much, referencing the fact that some schools aren't meeting the standards.

**Mr. Puyear** agreed that some rural schools do have trouble. However, there is a process in which to voice these concerns. Even though some of these schools struggle, there is a process to adhere to.

**REP. LAKE** inquired if the state should have a basic system be something that all schools can achieve.

**Mr. Puyear** agreed, but also stated that it is not always that easy.

**REP. JON SONJU** asked Lance Melton what his opinions were of Exhibit 1.

**Mr. Melton** stated that he would like to see a little more added to it. However, he thought that the portion of the bill that is related to this document is okay.

**REP. SONJU** asked Mr. Melton if he agreed with the committee.

**Mr. Melton** responded by saying that he does not agree on all of the aspects.

**REP. SONJU** inquired if Mr. Melton would be willing to work off of this document, given more time.

**Mr. Melton** stated that he could make it even shorter by saying that you need the accreditation standards plus any other factors.

**REP. LINDEEN** directed a question to Jim Standaert, Legislative Services Division. She asked him about the document he put together for REP. JACKSON. "How does this relate to the bill we are discussing?"

**Mr. Standaert** stated that it discusses the state's share of money.

**REP. LINDEEN** asked if this has any direct relationship to the bill.

**Mr. Standaert** said, "No."

**REP. GALLIK** asked if the state's share is now down to 51%.

**Mr. Standaert** stated that they have always been there.

*{Tape: 2; Side: A; Approx. Time Counter: 3 - 28.5}*

**Closing Statement By Sponsor:**

**REP. JACKSON** reiterated that a decision needs to be made by October 1, 2005. He also stated that the outputs are not for OPI, they are for BPE and the committee. He then handed out one more document to support his testimony.

**EXHIBIT**(esh21a05)

*{Tape: 2; Side: B; Approx. Time Counter: 0 - 0.7}*

(REP. LINDEEN called for a five minute recess.)

*{Tape: 2; Side: B; Approx. Time Counter: 0.7 - 1.1}*

**HEARING ON HB 310**

**Sponsor:** REP. WILLIAM GLASER, HD 44, HUNTLEY

**Opening Statement By Sponsor:**

**REP. GLASER** introduced HB 310. This bill examines the topic of re-examining the educationally relevant factors on a six-year cycle. This would enable the legislature to decide if issues need to be changed.

**{Tape: 2; Side: B; Approx. Time Counter: 1.1 - 7.2}**

**Proponents' Testimony:**

**Bud Williams, OPI**, stood in support of HB 310, and believed a six-year cycle to be good.

**Lance Melton, MTSBA**, stated that a periodic review process is important. He added that six years might be too long. He also provided written testimony.

**EXHIBIT**(esh21a06)

**Dave Puyear, MREA**, cited that this directly addresses problems that need attention, and also agreed that six years may be too long.

**Steve Meloy, BPE**, emphasized the importance of the accreditation standards.

**{Tape: 2; Side: B; Approx. Time Counter: 7.2 - 16.2}**

**Opponents' Testimony:** None.

**{Tape: 2; Side: B; Approx. Time Counter: 16.2 - 16.4}**

**Informational Testimony:** None.

**{Tape: 2; Side: B; Approx. Time Counter: 16.4 - 16.6}**

**Questions From The Committee:**

**REP. JACKSON** asked **REP. GLASER** about specifics of the bill.

**REP. GLASER** stated that it was his bill to begin with. However, now it is the committee's bill. He said, "If you want to change one or two things that don't drastically change the bill, go ahead."

**{Tape: 2; Side: B; Approx. Time Counter: 16.6 - 18}**

**Closing Statement By Sponsor:**

**REP. GLASER** provided written testimony to close his bill.

**EXHIBIT**(esh21a07)

*{Tape: 2; Side: B; Approx. Time Counter: 18 - 19.7}*

**REP. LINDEEN** discussed general issues.

**REP. RASER** touched on the topic of obtaining a list of educationally relevant factors from members of the education community.

**Mr. Melton** reiterated that the best way to do this is to look at SB 152.

**REP. LAKE** asked about the CD that is available in regard to the Augenblick & Meyers Study.

**Eddye McClure** stated that those are available, and that she would need the names of those individuals interested.

**REP. LINDEEN** asked Chris Lohse to expand on his research in terms of educationally relevant factors.

**Mr. Lohse** stated that he is currently researching; he touched on a few specifics.

**REP. GLASER** mentioned that there are several articles available.

**REP. NORMA BIXBY** inquired about another presentation on Indian Education.

**REP. LINDEEN** closed the hearing on HB 415, and HB 310.

**ADJOURNMENT**

Adjournment: 5:35 P.M.

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REP. MONICA LINDEEN, Chairman

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KIM LEIGHTON, Secretary

ML/kl

Additional Exhibits:

**EXHIBIT ([esh21aad0.TIF](#))**